

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re

LEHMAN BROTHERS HOLDINGS, INC., *et al.*,

Debtors.

Chapter 11

Case No. 08-13555 (SCC)

(Jointly Administered)

NOTICE OF APPEAL AND STATEMENT OF ELECTION

Part 1: Identify the appellant(s)

1. Name(s) of Appellant(s):

Claimants: Sylvia Vega-Sutfin, Michelle Seymour, Cheryl McNeil, Linda Howard-James, Isabel Guajardo and Denise Colombo

Gary Gwilliam (Bar No. 33430) (admitted *pro hac vice*)

Randall E. Strauss (Bar No. 168363)

GWILLIAM, IVARY, CHIOSSO, CAVALLI & BREWER

1999 Harrison Street, Suite 1600

Oakland, California 94612-3528

Telephone: (510) 832-5411

Fax: (510) 832-1918

Email: GGwilliam@giccb.com, rstrauss@giccb.com

Mark S. Bostick (Bar No. 111241) (admitted *pro hac vice*)

WENDEL, ROSEN, BLACK & DEAN LLP

1111 Broadway, 24th Floor

Oakland, California 94607-4036

Telephone: (510) 834-6600

Fax: (510) 834-1928

Email: mbostick@wendel.com

2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding

For appeals in a bankruptcy case and not in an
adversary proceeding

☐ Plaintiff

☐ Debtor

☐ Defendant

☒ Creditor

☐ Other (describe) _____

☐ Trustee

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from: **Order Granting Objection to the Four Hundred Thirty-First Omnibus Objection to Claims (Reduce and Allow Claims) and Granting Claimants Leave to Amend Claims [Docket No. 55327] attached hereto as Exhibit A.**

2. State the date on which the judgment, order, or decree was entered: **05/09/17.**

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

Lehman Brothers Holdings, Inc. as Plan
Administrator of BNC Mortgage, LLC.

Attorney: Jacqueline Marcus
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, New York 10153
Telephone: (212) 310-8000
Facsimile: (212) 310-8007

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☒ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below

Signature of attorney for appellant(s) (or appellant(s)
if not represented by an attorney)

DATED May 23, 2017

GWILLIAM, IVARY, CHIOSSO,
CAVALLI & BREWER

By: /s/ Gary Gwilliam
Gary Gwilliam

Attorneys for Claimants, Sylvia Vega-
Sutfin, Michelle Seymour, Cheryl McNeil,
Linda Howard-James, Isabel Guajardo and
Denise Colombo

DATED: May 23, 2017

WENDEL, ROSEN, BLACK & DEAN LLP

By: /s/ Mark S. Bostick
Mark S. Bostick

Attorneys for Claimants, Sylvia Vega-
Sutfin, Michelle Seymour, Cheryl McNeil,
Linda Howard-James, Isabel Guajardo and
Denise Colombo

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.